

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Charles A. LaLiberte,

Civ. No. 24-463 (JWB/DJF)

Plaintiff,

v.

ORDER

FedEx Ground Package Systems, Inc.,

Defendant.

Plaintiff Charles LaLiberte has requested court appointed counsel. (Doc. No. 25.) Although there is no constitutional or statutory right to appointed counsel in civil cases, *Ward v. Smith*, 721 F.3d 940, 942 (8th Cir. 2013), the court may request an attorney for any person who cannot afford one. *See* 28 U.S.C. § 1915(e)(1). Whether to request counsel depends on the factual complexity of the issues, Plaintiff's ability to present the claims, and the complexity of the legal arguments. *Ward*, 721 F.3d at 942.

Plaintiff has filed his own Complaint and other initial filings. He has filed a motion to certify a legal question to the Minnesota Supreme Court. And he must file a response to Defendant's motion to dismiss the Complaint, which is set for a hearing on July 30, 2024. Plaintiff's filings show that although he can write out his thoughts, the legal issues presented are sufficiently complex that the parties and the Court would benefit from having Plaintiff discuss the matter with counsel. Plaintiff's request for counsel will be granted to the extent that he will be referred to the Pro Se Project for possible consultation with a volunteer attorney.

ORDER

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's request for counsel (Doc. No. 25) is **GRANTED IN PART**. A letter referring Plaintiff to the Pro Se Project will be issued separately. The deadline for Plaintiff to file a response to Defendant's Motion to Dismiss is extended to **July 9, 2024**.

Date: May 20, 2024

s/ Jerry W. Blackwell
JERRY W. BLACKWELL
United States District Judge